



Business Advisory Council (BAC)
Summary Meeting Notes for September 21, 2016

Summary Notes

770 3rd Street, West Sacramento, CA

Members Present:

Association	Primary	Alternate
ACEC		
AICC		
AAAE	Eddy Lau	
AAa/e		James Okazaki
AGC		John Cooper
CBCC		
CMAA	Esther Shaw	
COMTO	Dev Krishnan	
DVBA	Laura Uden	
GFACC		
KMCA	Marvin Dean	
LBA		
LRRT	Paul Guerrero	
NAACP		
NAMC		
NCA	Diana LaCome	
SFAACC	Fred Jordan	
SAME		Tony Petrocetto
USPAACC	Clyde Wong	
WCOE	Lee Cunningham	
WTS		

Council Chair: Lisa Marie Alley

Absent Seat(s): Arvin Chaudhary (ACEC), Adam Holt (AICCC), Aubry Stone (CBCC), Debbie Hunsaker (GFACC), Leonard Ortiz (LBA), Betty Williams (NAACP), Peter Varma (NAMC), Charissa Frank (WTS)

California High-Speed Rail Authority (Authority) Team Present: Deborah Harper – Chief of Administration, Diana Guzman – EEO Branch Manager, Alice Rodriguez – Small Business Advocate, Jose Camarena – Contract Compliance Administrator, Darin Kishiyama – Supervising Transportation Engineer, Karen Massie – Information Officer, Abraham Mendoza – Assistant Contract Compliance Administrator, Terry Marcellus – Procurement/Civil Projects, Alex McCracken – Small Business and Title VI Programs Manager, Larry Ginid – Contract Compliance Unit, Austin Kidwell – Small Business Compliance Analyst, Meilani Sabadlab – Small Business Technical Associate

Guests: John James, Amanda Craft, Tanya Little, Alan Moreno, Michael Aguillio

1. Welcome and Introductions (Council Chair)

- Council Chair called the meeting to order at 1:35 PM and welcomed everyone for attending.
- The council was informed that the Small Business and Compliance updates would be omitted during the full council to allow more time for Committee reports and ADHOC discussion.
- Council Chair concluded opening remarks with introductions from all BAC attendees.

2. Approval of June 16, 2016 Business Advisory Council Meeting Minutes (Council Chair)

- Council Chair asked if there were any questions or concerns regarding the minutes from the June 16, 2016 BAC Meeting.
- Member Jordan motioned that the minutes from the June 16, 2016 Council Meeting be adopted and Member Uden seconded the motion.
- Members Okazaki and Petrocitto abstained.
- Member Dean requested to change the Vacant Seat(s) title to Absent Seat(s). Council Chair assured him that the request could be implemented moving forward.
- The minutes were approved by majority vote.

3. Prior Meeting Requests (Council Chair)

- Council Chair summarized a list of requests from the June 16 Business Advisory Council Meeting and followed with the results of the requests. Of the 14 requested items, the Authority delivered on 10 via email and those included in this packet or accomplished at this meeting. Those include:
 - The BAC requested contract specific utilization for Construction Packages, including a breakdown of the Primes' sub-contractors.
 - The Team provided BAC members with reports for Construction Package 1 and 2-3, Construction Package 4 is too early in their contract to generate a report. The firms were categorized by the type of certification and displayed the firms' individual commitment value and paid to date value.
 - The Council requested an Authority staff member with construction and engineering expertise to attend the Construction Committee Meetings.
 - The Team partnered with Scott Jarvis, Chief Engineer, and identified Dane Hudson, Design Build Manager, to attend the Construction Committee Meetings effective September 21, 2016.
 - The BAC requested to develop a reporting mechanism from the BAC to the Authority Board of Directors.
 - BAC Members were informed that beginning with the month of July, the Small Business Program Team has incorporated BAC updates into their monthly Small Business Program Report. These monthly reports will be included in the Board of Director member packets. Additionally, the Team is preparing to give a formal Small Business Program Update at the upcoming board meeting in October. BAC members will be notified once the board agenda is confirmed.

- BAC Members requested the percentage that has gone to small businesses for the design of Construction Package 1.
 - The Authority asked Maurice Young to provide this information. However, due to his absence at the full council, we will deliver this information via email following the September 21 BAC Meeting.
- The Council requested to learn more about the Title VI Program and have a presentation during a future BAC Meeting.
 - Council Chair informed the Council that the Title VI Program Team would be providing a presentation in today's meeting.

4. Title VI Presentation (Deborah Harper, Dianna Guzman and Alex McCracken)

- The Title VI Team provided a Title VI Program presentation covering the following topics:
 - Title VI/Title VI Program Organization
 - Environmental Justice (EJ)/Public Involvement in Environmental Justice
 - Limited English Proficiency (LEP)
 - Reporting and Data Collection
 - Future Title VI Activities

BAC Member Questions and Concerns:

- Member Dean inquired if Deborah Harper was the responsible individual for addressing Title VI Complaints. Ms. Harper confirmed she was.
- Member Cunningham questioned if the Title VI Program encompassed the LGBT community. Ms. McCracken stated that the team is reaching out to the LGBT community and is currently conducting additional research to learn more.
- Member Cunningham asked to confirm the dollar cap for disadvantaged persons. Ms. McCracken responded that according to the Department of Health and Human Services, the poverty level is approximately \$24,000.00 for a family of four (4).
- Member Guerrero requested to have all Title VI/EJ reports (links to the Authority website) sent to all Council members. Council Chair and Ms. McCracken confirmed the requested information would be disseminated.
- Member Dean emphasized his concerns (specifically about Bakersfield, CA) about disadvantaged communities and how they are not aware of the effects which High-Speed Rail will bring to their community. He suggested additional community involvement, to address these mitigations and inform communities of how their voice and participation can positively impact their community.
- Member Guerrero noted that translators are not available during Board of Director (BOD) meetings. Council Chair stated that on all meeting announcements, individuals can request translators with proper notification. Additionally, moving forward the Authority is working to have a translator available at all future BOD meetings.
- Member Jordan inquired how the Title VI Program came to fruition. Council Chair responded, due to a Title VI complaint the Authority created the Program based on their effort to combat discrimination. Council Chair Alley clarified that the Federal Railroad Administration (FRA) did not require the Authority to develop the Title VI Program.
- Member Dean question Ms. Guzman about Title VII. Ms. Guzman informed the council that Title VII is a federal law prohibiting workplace discrimination and harassment on the basis of race, color, national origin, religion and sex (employment laws within the work environment).

5. Vendor Registry Presentation (Alice Rodriguez)

- Ms. Rodriguez provided a sneak-peek presentation of the Authority's soon-to-launch Vendor Registry.
- She provided an overview of the two (2) main objectives of the system which include:
 - 1) Allow businesses interested in subcontracting opportunities with our Design-Build and other prime contractors, to enter their business information through a quick and easy process.
 - 2) Provide Authority's current and future prime contractors the ability to search for businesses interested in working on the High-Speed Rail Program.

BAC Member Questions and Concerns:

- Member Cunningham mentioned there is not a physical DBE certification but rather an official site visit which deems a firm DBE qualified or not.
- Member Lau questioned why a prime would use the Vendor Registry's search function. Amanda Craft (California Rail Builders) responded that the database allows a prime to find small businesses interested in subcontracting opportunities. Additionally, Council Chair mentioned the system is a single source of truth, not only for the Authority but external agencies as well.
- John James (Dragados Flatiron) suggested including area codes and project segments as a search criteria.
- Member Dean suggested including prime contractors' website links to the Vendor Registry, to promote easy access for small businesses to the prime.

6. Project Updates

Construction Package 4 (Amanda Craft)

- Ms. Craft reported that CP 4 is still in their initial stages of building its small business team and will begin reporting small business utilization soon.
- She informed Council members of their recent Open House in Bakersfield which allowed for small businesses to network. The Open House included an overview of the project and introduced key members of the California Rail Builders Team including: the project director, procurement staff, public involvement team, jobs coordinator, segment manager and DBE director of all Ferrovial US projects. Ms. Craft mentioned the event catered to about 50 attendees, representing about 35 different firms and/or agencies.
- Lastly, California Rail Builders recently opened their new office in Wasco and are transitioning from their office in Bakersfield.

BAC Member Questions and Concerns:

- Member Cunningham suggested conducting a webinar for future Open House Events. Ms. Craft informed the Council that she distributed the presentation to individuals who were unable to attend the event. Ms. Rodriguez mentioned she would forward the information to all BAC Members.
- Member Dean requested the Authority to establish a Bonding and Working Capital Program.

Construction Package 2 – 3 (John James)

- There are currently fifteen (15) small business entities approved by the Authority to begin work on the CP 2-3 project, including 6 of the 8 firms that were listed in Dragados Flatiron's Small Business Proposal.
- The current schedule of trade and/or skill specific procurements through proposals and/or bids include the following:
 - Adams Avenue overcrossing in Fresno County
 - Trucks for hauling water, lumber and infrastructure material
 - Local streets and roads restoration
 - Underground utility relocation
 - Irrigation District facilities relocation
 - Earth Moving
 - Fuel and Petroleum suppliers
 - Fencing contractors
 - Well abandonment and cap contractors
 - Electrical contractors
- CP 2-3 will be presenting an overview of their small business contracting opportunities in addition to providing an opportunity for SBEs to communicate with DFJV's project staff and identify potential upcoming work opportunities for small business participation on the project. The next meeting will be held in Selma, CA on September 22, 2016.
- DFJV anticipates small business utilization to increase within the next ninety (90) days as a result of the outreach, pre-bid and bidding work currently underway.
- DFJV has split their clear and grub segment 2 and segment 3 into 2 categories: demolition of structures and clear and grub. Demolition of structures is being prepared for rebid and the rebid for clear and grub will follow shortly after.
- Work currently underway with the CP 2-3 project includes:
 - Environmental re-exam work
 - Demolition of 17 planned parcels
 - Clearing and grubbing
- Challenges DFJV are facing include:
 - Small businesses are having issues getting pre-qualified for PG&E's pre-qualified list
 - Small businesses are facing difficulty with bonding insurance
- DFJV's Small Business Opportunity Center will be holding a grand-opening soon.

7. October Construction Tour – Thursday, October 20, 2016. (Alice Rodriguez)

- Alice Rodriguez highlighted important details for the October Construction Tour in Fresno, CA.
- The Construction Tour is available to BAC members and invited guests only.
- Specific details of the Construction Tour were disseminated via handout.
- RSVPs should be submitted to Meilani Sabadlab, Meilani.Sabadlab@hsr.ca.gov by Friday, October 7, 2016.
- The Council voted to conduct the regularly scheduled Committee Meetings and Full Council after the Construction Tour. Finalized logistics will be dispersed via email.

8. Committee Updates

Professional Services Committee (Fred Jordan)

- Mr. Jordan informed the Council that the Committee received a special presentation today from the NorCal Small Business Financial Department Corporation (FDC) and suggested that the Construction Committee also consider the presentation. The presentation included an overview of FDC's program to provide small businesses with financial assistance and working capital.
- Additionally, the Professional Service Committee submitted the following requests:
 - Requests CEO, Jeff Morales, ask the Federal Railroad Administration (FRA) to adopt the Federal Highway Administration (FHWA) Safe Harbor Program.
 - Requests Chief Auditor, Paula Rivera, to provide a presentation regarding Safe Harbor and overhead rates at a future BAC meeting.
 - Requests an Authority staff member with engineering or contracting expertise to attend the Professional Services Committee meetings, specifically Chief Engineer, Scott Jarvis.
 - Requests a PGE representative (SB liaison) to provide a presentation during the BAC Full Council, addressing SBE concerns.
 - Requests additional information about the Supportive Services Contract. Council Chair responded that we hope to provide an update to BAC members within a few weeks.

Construction Committee (Diana LaCome)

- The Construction Committee discussed and submitted the following requests:
 - Requests that the Design-Build Primes include a written report in their member packets, in addition to their verbal presentation at the BAC Full Council Meeting.
 - Requests that Chairs of both committees be notified of the Small Business Program Update at the Board of Directors meeting and possibly participate in the presentation.
 - Requests to develop legal support training sessions for small businesses.
 - Requests to receive an update from the Authority concerning Senate Bill 1176 – Small Business Procurement and Contract Act: Business Size.

9. Member and Public Comment and Adjournment

- Member Guerrero inquired about the High-Speed Rail fare policy. Council Chair replied that the Authority has not yet considered who or how the fare will be set.

10. Upcoming Meeting Dates

- The next meeting will be held after the Construction Tour on Thursday, October 20, 2016 in Fresno, CA.
- Council Chair adjourned the meeting at 3:40PM.